

MERCEDES COLWIN  
MCOLWIN@GRSM.COM

DAVID J. GRECH  
DGRECH@GRSM.COM

RICHARD X. SUI  
RSUI@GRSM.COM

**GORDON & REES**  
**SCULLY MANSUKHANI**  
**YOUR 50 STATE PARTNER™**

ATTORNEYS AT LAW  
1 BATTERY PARK PLAZA  
28TH FLOOR  
NEW YORK, NY 10004

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: May 5, 2022

April 28, 2022

**VIA ECF**

The Honorable Andrew L. Carter, Jr., U.S.D.J.  
United States District Court, Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

*Re: Symotyuk-Knoll v. HealthEquity, Inc. et al.*  
Case No.: 1:21-cv-08348-ALC-OTW

Dear Judge Carter:

We represent defendants HealthEquity, Inc. and WageWorks, Inc. (“Defendants”) in this case. We write, pursuant to Rule 1D of Your Honor’s Individual Practices and with Plaintiff’s consent, to respectfully request a short extension of time for the parties to file their joint status report, including a proposed briefing schedule for Defendants’ contemplated motion to dismiss and a proposed stipulation to stay discovery pending resolution of that motion, as set forth in the Order, dated April 11, 2022 (ECF No. 18).

We respectfully request an extension of two weeks from April 29, 2022 to May 13, 2022 for the parties to file their joint status report. Pursuant to the April 11, 2022 Order (ECF No. 18), Plaintiff filed an amended complaint on April 22, 2022 (ECF No. 19). Should Defendants elect to respond to the amended complaint other than by the contemplated motion to dismiss, Defendants intend to so inform the Court in the joint status report. In the interim, Defendants respectfully request that their time to respond to the amended complaint, under Rule 15(a)(3) of the Federal Rules of Civil Procedure, be likewise extended to May 13, 2022. Should Defendants require additional time to submit such a response to the amended complaint, that is, other than a motion to dismiss, Defendants would confer with Plaintiff and respectfully reserve the right to request such an extension, likely in the joint status report.

The reason for the requested extension is that Christopher Coyne, who had been an attorney of record for Defendants in this case, has just recently left our firm. Mr. Coyne’s notice of withdrawal as an attorney of record for Defendants has been filed with the Court as ECF No. 22. My colleague Richard X. Sui and I have just joined this case and filed our notices appearance with the Court (ECF Nos. 20 and 21). This is Defendants’ first request for such an extension. We respectfully submit that that requested extension is necessary to provide our team with sufficient time to familiarize ourselves with the case, to review and assess the amended complaint, and to

Hon. Andrew L. Carter, Jr., U.S.D.J.  
U.S. District Court, S.D.N.Y.  
April 28, 2022  
Page 2 of 2

confer with our clients as to next steps. We respectfully submit that the circumstances described herein constitute good cause for the requested extension.

We thank the Court for its attention to this matter and are available at the Court's convenience, should it have any questions.

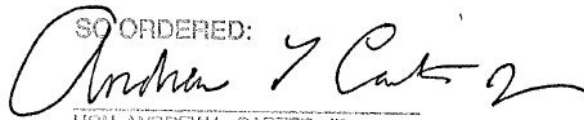
Respectfully submitted,

GORDON REES  
SCULLY MANSUKHANI, LLP

/s/ David J. Grech  
David J. Grech

cc: Chambers (via email)  
All Attorneys of Record (via ECF)

Application **GRANTED** nunc pro tunc.  
Deadline for parties to file Joint Status  
Report and for Defendants to respond to  
Amended Complaint set to May 13,  
2022.

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

**Date:** May 5, 2022